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09/619,331	07/19/2000	Hideto Horikoshi	JP9-1999-0035	1158

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EXAMINER

GURSHMAN, GRIGORY

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/619,331

Applicant(s)

HORIKOSHI ET AL.

Examiner

Grigory Gurshman

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 2/22/2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 November 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. With regard to claims 1-6, 21 and 22, Applicant argues that Miller reference does not anticipate each and every claim feature of the present invention. Regarding the instant claims, Applicant points out a number of features of claimed invention, that are different from Miller. With respect to this argument examiner states that none of the alleged differences are reflected in the instant claims. All of the claimed features, in view of broad but reasonable interpretation, are taught by Miller, as for example:

the limitation "storing setting data for establishing the computer settings with respect to the attachment of the security device to the computer in ... a storage unit of the computer" is met by a unique key code stored in the computer (see abstract and block 18 in Fig. 2). The limitation "detecting the attachment of the security device to the computer" is met by comparing the code stored in the security key with the key code stored in the computer (see abstract and block 84 in Fig. 5). The limitation "storing the attachment data indicating the detection ... in a second storage unit ... in the computer" is met by teaching that the key code received from the key 40 is compared to the key code stored in the BIOS flash 24 instead of in main memory (see column 6, lines 5-7). The limitation "detecting a removal of the security device from the computer based on the setting data; and prohibiting access to the computer" is met by Fig.7. In Fig. 7 Miller explicitly shows that operation system detects the removal of USB security key. Once the removal is detected the computer is put out of operational mode (see block 380).

The limitation "connecting the connection device of an internal power wiring equipment" is met by a hub (30 in Fig.2). The limitation "prohibiting access to the computer by the disconnection" is met by Fig. 6. In Fig. 6, Miller explicitly shows disconnection causes computer to go into a sleep mode (see unit 160).

2. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

3. With respect to claims 7-20, Applicant argues that examiner has not established *prima facie* case of obviousness since the cited references do not teach or suggest all of the claim limitations. Examiner respectfully disagrees and points out that while Miller teaches the key code stored in the computer, he does not teach the use of RFID tags for the antenna coupled to the connecting device. This deficiency is compensated by Isaacman, who teaches that a conventional RFID tag systems will now be described. RFID tag systems generally consist of a personal computer (PC) or other computing device, a radio frequency transmitter which sends an RF signal to the tag and which "excites" the tag into generating an RF response, and a receiver which receives the excited response from the tag (see column 3, lines 8-14). Examiner maintains that one of ordinary skill in the art would have been motivated to modify a security device attached to a computer by adding the RF antenna as taught in Isaacman for enabling

the system to rapidly identify the location of RFID tagged objects (see Isaacman, abstract and Fig. 3.

4. In view of the reason presented herein, the rejections of claims 1-22 are maintained.

### ***Drawings***

5. Formal drawings filed on 2/22/2005 are accepted by examiner.

### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1- 6, 21 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Miller (U.S. Patent No. 6.038.320).

8. Referring to the instant claims, Miller discloses a computer security key (see abstract). Miller teaches a computer security key provides security to a computer, which includes a computer bus. The computer is programmed to function with the security key. The security key includes a connector that is adapted to be coupled to the computer bus, a controller coupled to the connector, and a storage device coupled to the controller. The connector must be coupled to the computer bus for the computer to be

operational. In addition, a unique key code is stored in the security key and the computer. The key code stored in the security key must match the key code stored in the computer for the computer to be operational. Further, an encrypted password is stored in the security key. A password is entered into the computer and sent to the security key where it is encrypted by the security key. The encrypted password stored in the security key must match the encrypted password entered into the computer for the computer to be operational (see abstract and Fig. 2).

9. Referring to the independent claims 1- 6, 21 and 22, the limitation "storing setting data for establishing the computer settings with respect to the attachment of the security device to the computer in ... a storage unit of the computer" is met by a unique key code stored in the computer (see abstract and block 18 in Fig. 2). The limitation "detecting the attachment of the security device to the computer" is met by comparing the code stored in the security key with the key code stored in the computer (see abstract and block 84 in Fig. 5). The limitation "storing the attachment data indicating the detection ... in a second storage unit ... in the computer" is met by teaching that the key code received from the key 40 is compared to the key code stored in the BIOS flash 24 instead of in main memory (see column 6, lines 5-7). The limitation "detecting a removal of the security device from the computer based on the setting data; and prohibiting access to the computer" is met by Fig.7. In Fig. 7 Miller explicitly shows that operation system detects the removal of USB security key. Once the removal is detected the computer is put out of operational mode (see block 380).

10. Referring to claims 3 - 5, the limitation "connecting the connection device of an internal power wiring equipment" is met by a hub (30 in Fig.2). The limitation "prohibiting access to the computer by the disconnection" is met by Fig. 6. In Fig. 6, Miller explicitly shows disconnection causes computer to go into a sleep mode (see unit 160). Referring to claims 5 and 6, it is inherent to store data while main power supply of the computer is as at a halt and a backup power supply is operating.
11. Referring to claim 2, Miller teaches the limitation "entering a predetermined password" - see Fig. 8.

***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 7-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller (U.S. Patent No. 6,038,320) in view of Isaacman (U.S. Patent No. 5,936,527).
14. Referring to the instant claims Miller discloses a computer security key (see abstract). Miller teaches a computer security key provides security to a computer, which includes a computer bus. The computer is programmed to function with the security key. The security key includes a connector that is adapted to be coupled to the computer bus, a controller coupled to the connector, and a storage device coupled to the controller. The connector must be coupled to the computer bus for the computer to be operational. In addition, a unique key code is stored in the security key and the

computer. The key code stored in the security key must match the key code stored in the computer for the computer to be operational (see abstract).

While Miller teaches the key code stored in the computer, he does not teach the use of RFID tags for the antenna coupled to the connecting device.

15. Referring to the instant claims, Isaacman discloses an apparatus for tracking objects (see abstract). Isaacman teaches that a conventional RFID tag systems will now be described. RFID tag systems generally consist of a personal computer (PC) or other computing device, a radio frequency transmitter which sends an RF signal to the tag and which "excites" the tag into generating an RF response, and a receiver which receives the excited response from the tag (see column 3, lines 8-14). Isaacman shows a PC connected to the Host Transceiver (i.e. RF antenna), which tracks the objects according their RFID tags (see Fig. 3).

Therefore, at the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify a security device attached to a computer of Miller by adding the RF antenna as taught in Isaacman. One of ordinary skill in the art would have been motivated to modify a security device attached to a computer by adding the RF antenna as taught in Isaacman for enabling the system rapidly identify the location of RFID tagged objects (see Isaacman abstract and Fig.3)

16. Referring to claims 13-19, Isaacman teaches analog to digital conversion.



***Conclusion***

17. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Grigory Gurshman whose telephone number is (571)272-3803. The examiner can normally be reached on 9 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571)272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

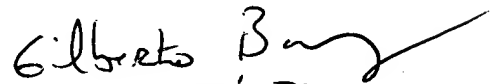
Art Unit: 2132

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GG

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